IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2236 OF 2006

Louis Pascal D'Souza. ..Applicant.
Vs.
State of Maharashtra and anr. ..Respondents.
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Mr. Vijay Pradhan,Sr.Advocate with Mr. Mihir Gheewala for the Applicant.

Mr.S.R.Solanki, Adv. for the C.B.I.

Ms. S.V. Gajare,APP. for the State.
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CORAM : R.S. MOHITE,J.
DATED : 21/6/2006.

P.C.

1. This is an application for grant of bail. The applicant has been arrested by Sahar Police Station under Section 41(g) of the Code of Criminal Procedure on the footing that there was Red Corner Notice against him. A.P.P. states that the Red Corner Notice was issued by C.B.I. (Interpol) as the applicant is involved in the offence of theft of foreign currency i.e. 60,000/- Dirhams (equivalent to Rs.1,50,000/- in Indian currency), when he was residing in UAE in 1986. After perusing Section-25 of the Extradition Act,1962, it appears that extradition proceedings will have to be taken against the applicant. On perusal of Section-25 of the Extradition Act,1962, it is seen that the provisions as to bail in such matter is same as under

the Code of Criminal Procedure and the bail is to be considered on the footing that the offence was committed in India. In the circumstances, I am inclined to grant bail to the applicant.

. It is therefore, directed that the applicant may be released on bail in the sum of Rs.1,50,000/- of which Rs.1,00,000/- will be the cash bail and surety will be provided for an amount of Rs.50,000/-on the condition that the passport of the present applicant will be retained by the Sahar Police Station till the issue of extradition of the present applicant is decided. The applicant will also report to the Station House Officer of Sahar Police Station once in a week on every Monday for the period of two months from today. For the purpose of furnishing surety the applicant will be entitled to deposit cash amount of Rs.50,000/- in lieu of surety subject to further stipulation that the surety will have to be furnished within a period of two weeks from today. In case of any difficulty, liberty to both the parties to move the court.

2. Application is disposed of.

(R. S. MOHITE, J.)